



MAYORS AGAINST ILLEGAL GUNS

Wednesday, February 10, 2016

Testimony of former Grand Rapids Mayor George Heartwell

RE: Committee should reject House Bill 4795

Thank you, Chairman Chatfield and members of the Local Government Committee for hearing my testimony today. My name is George Heartwell, and I am the former, twelve-year mayor of Grand Rapids. I am also an ordained minister in the United Church of Christ. I respectfully submit this written testimony because I have grave concerns with HB 4795, the punitive local preemption bill before you today.

Mayors and local governments, working with their police chiefs, understand best how to keep their citizens safe. Mayors and council members know their constituents, we see them in the supermarket, we meet them on the street. And we have seen the results of violence in our neighborhoods. Mayors are the ones who go to the funerals, who console the families of the victims of gun violence.

Under this bill, gun lobby groups based outside of Michigan would have the right to sue our local governments for enacting or enforcing common sense public safety protections. And on top of that, taxpayers in our cities and towns would be forced to pay for these costly court cases. If a gun lobby group sues a city and wins, the city would have to pay the gun lobby group's legal fees, plus costs and damages. And even if a city repeals a law that the gun lobby has challenged, rather than defend it in court, the city would still be forced to pay. These provisions are intended to bully cities and towns and discourage them from enacting new public safety laws by threatening them—and local taxpayers—with serious financial losses.

After a similar bill was passed in Pennsylvania, dozens of cities and towns had to repeal very basic, common sense public safety ordinances to avoid being sued. Four cities were taken to court. Harrisburg faced two lawsuits, one from an in-state group and another from an organization based in Texas. The other three cities were sued by the NRA, which is based in Virginia. Harrisburg and Lancaster have had to set up legal defense funds to pay their costs.

Adding insult to injury, HB 4795 would subject police officers and other local officials to thousands of dollars in fines, which they would have to pay in their personal capacities, simply for enforcing their municipalities' laws. Now that I'm no longer mayor, I'm not personally threatened by these fines, but as a citizen, I certainly am threatened by the gun violence that goes unaddressed by our laws. I want my local leaders to be able to enforce the laws and protect public safety without risking their personal financial wellbeing.

I don't want to see Michigan cities and towns being sued by lobbying groups based in Texas and Virginia. I don't want to see police officers and mayors subjected to fines for doing their jobs and upholding the law. I don't want to see local taxpayers on the hook for legal fees being run up by the gun lobby's trial attorneys. I believe that you, as reasonable people, will see this as I do.

Ladies and gentlemen of the committee, I thank you for your time and I urge you to vote against HB 4795.